

AO 91 (Rev. 08/09) Criminal Complaint

Filed 8-22-11
 Clerk, U. S. District Court
 Western District of Texas
 By [Signature] Deputy

UNITED STATES DISTRICT COURT
 for the
 Northern District of California

United States of America
 v.

GREGORY CALVIN KING

Defendant(s)

SA-11-M-727

Case No. CR 11-70625 EDL

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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2010 to Present in the county of Santa Clara in the
Northern District of California, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 875(c)	Threats transmitted through interstate communication;
47 U.S.C. § 223 (a)(1)(E)	Making harassing communications in interstate communication.

This criminal complaint is based on these facts:

Please see attached affidavit

Continued on the attached sheet.

Approved As To Form:

SAUSA Susan Phan

Christopher J. White

Complainant's signature

Christopher J. White, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: August 11, 2011

City and state: San Francisco, California

NATHANAEL COUSINS
Judge's signature

NATHANAEL COUSINS, U.S. Magistrate Judge
Printed name and title

✓

I, Christopher White, Special Agent, with the Federal Bureau of Investigation, being duly sworn, depose and state:

I. INTRODUCTION AND PURPOSE OF AFFIDAVIT

1. This affidavit is submitted in support of a criminal complaint against GREGORY CALVIN KING for violating 18 U.S.C. § 875(c) – Threats transmitted through interstate communication, and 47 U.S.C. § 223 (a)(1)(E) – Making harassing communications in interstate communication. The facts set forth in this Affidavit are based on my personal observations, my training and experience, and information obtained from other agents and witnesses, including interviews with victims and witnesses, review of documents, information provided by other employees of the Federal Bureau of Investigation and other government agencies. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

II. AGENT'S BACKGROUND AND EXPERTISE

2. I am a Special Agent with the Federal Bureau of Investigation (hereinafter referred to as the "FBI"), and have been employed as such since January 2010. I am currently assigned to the San Francisco Division, Palo Alto Resident Agency. During my experience as a Special Agent of the FBI, I have participated in a wide variety of criminal investigation, including investigations involving national security, mortgage fraud, organized criminal enterprise, economic espionage, and other federal crimes. I am currently assigned to a squad which is responsible for regional investigations within the Silicon Valley area.

3. In addition, I attended and graduated from the FBI Academy in Quantico, Virginia, where I received twenty-one weeks of new agent training and instruction on various aspects of federal investigations. In 2003, I received a Bachelor's Degree in Engineering, and a Masters Degree in Civil Engineering in 2006. Prior to my employment with the FBI, I was a licensed Civil Engineer in the State of Washington, and worked as a consultant.

III. APPLICABLE LAW

4. Title 18 U.S.C. § 875(c) provides criminal penalties for anyone who "transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another."

5. Title 47 U.S.C. § 223 (a)(1)(E) provides criminal penalties for anyone who: "in interstate or foreign communications...makes repeated telephone call or repeatedly initiates communication with a telecommunication device, during which conversation or communication ensues, solely to harass any person at the called number or who receives the communication[.]"

IV. ABOUT TWITTER, INC.

5. Twitter, Inc. owns and operates a free-access social networking and microblogging website of the same name that can be accessed at <http://www.twitter.com>. Twitter is headquartered at 795 Folsom Street, Suite 600, in San Francisco, California. Twitter allows its users to establish accounts with Twitter, and users can then use their accounts to share written news, photographs, videos, and other information with the general public and other Twitter users. Individual users can blog, send, and read messages called "Tweets."

6. As part of the registration process, Twitter, Inc. asks users to provide basic contact information to Twitter, Inc. This information may include the user's full name, e-mail addresses, physical address (including city, state, and zip code), telephone numbers, usernames, websites, and other personal identifiers. An e-mail address is required to register for a Twitter account. Twitter's system allows e-mails to be tied to only one Twitter account at a time. Once this is completed, Twitter lets a user create a user name. Twitter usernames are preceded by the @ sign.

7. Twitter's users can start posting their own Tweets upon successful account registration. Tweets are text-based posts of up to 140 characters displayed on the user's profile page. Users may follow other people by replying to other Tweets or "Retweets." Retweets are Tweets that users may share with other Twitter users. Users may also "mention" other users by including their Twitter username in the Tweet. Responses to the "mention" Tweets by other users will appear on a user's "Mentions" tab.

8. Tweets are generally publicly visible but users can also send private messages and restrict the message delivery to followers of their choice using what is called a "Message" (also called a Direct Message, or "DM"). DM are private messages sent from one user on Twitter to another and can only be sent to a person who follows the user.

9. Twitter users may choose to protect their profile and/or accounts by making adjustments to their account privacy profile. Twitter users can also select the level of privacy for their Tweets by keeping their accounts "public" or "protected." Public accounts have profile pages that are visible to all internet users. "Protected" accounts keeps users' accounts away from public view and require manual approval of each and every person who may view the protected user's Tweets. Once an account is protected, a series of restrictions are put in place and only approved followers can view Tweets made on a protected account.

IV. FACTS ESTABLISHING PROBABLE CAUSE

A. BACKGROUND OF INVESTIGATION

10. On or about February 15, 2011, FBI San Francisco received a harassment report from Google, Inc. Corporate Security concerning one of their executives (hereinafter referred to as the Victim). As one of the first twenty employees hired by Google, Inc., the Victim maintains a public profile due to her employment with Google, Inc. and frequently appears in articles and

interviews easily searchable on the internet. Due to her position at Google, Inc., the Victim has been interviewed numerous times during her career with the company and certain aspects of her personal life have been made public.

11. According to a harassment complaint reported by Google, Inc. in February 2011, the Victim had received several hundred Tweets on her personal Twitter account, [@Victim], that were harassing in nature. These Tweets originated from multiple Twitter accounts including three accounts belonging to the following usernames: @gking62884, @gregking17, and @gck764. The names of GREG KING and GREGORY CALVIN KING appeared on the publicly visible profile page of the Twitter account user name of @gking62884, @gck764, and @gregking17. The Victim received from all three accounts harassing and threatening communications that were similar in substance and tone.

12. Subsequent to the harassment report, the FBI attempted to further assess the merits of the report by viewing the most recent Tweets posted publicly on Twitter account @gck764. Twitter accounts @gking62884 and @gregking17 no longer appear to be in use. Results of the investigation indicated that almost every day for the period from November 1, 2010 to the present, Tweets originating from Twitter accounts @gck764 were sent daily to [@Victim]. The below-listed Tweets provide a sampling of the Tweets deemed significant to the investigation that were sent to the Victim's Twitter account [@Victim].

B. TWEETS FROM @gck764

13. On July 14, 2011, the registered Twitter user of Gregory Calvin King from @gck764 sent over 160 Tweets to [@Victim]. Among some of the Tweets include:

[@Victim] ATTN JEWS: SELL OUT YOUR OWN PEOPLE AND THEY'LL PUT YOUR CLOSET IN THE WSJ TOO!

[@Victim] That's who you are.. [Victim]. Now I don't know if your a whore... That's a possibility.

[@Victim] But I think the fact is quite evident that you whored out your Jew name willingly to acquire your wealth.

[@Victim] You can give me a list of the in[div]iduals who decided they wanted to give me fucking HIV .

[@Victim] and I'll make you my own arrangements from there.

[@Victim] I've given you my fucking word that I wont utilize the legal system to get my vengeance.

[@Victim] I've spoken directly to all of you.

[@Victim] Furthermore, I don't know how any man in that fucking valley

[@Victim] And everyone involved in this conspiracy is anything more than a fucking coward

[@Victim] And I'll say.. Jobs isn't a bitch because he spoke directly too me.

[@Victim] But as for the rest of you, Silicon Valley where Jew Pussies are whores and

Men are Bitches.

14. On April 3, 2011, the registered Twitter user of Gregory Calvin King from @gck764 sent approximately 79 Tweets. Among some of the Tweets include:

[@Victim] IM FUCKING PISSED! You don't wanna see how fucking square I can be slut.

[@Victim] I'm really fucking pissed. He was right you're a fucking whore.

[@Victim] LOOK AT WHAT YOU FUCKING DID ME

[@Victim] YOU STUPID WHORE JEWISH SLUT

[@Victim] I SHOULD FUCKING SHOOT YOU BOTH!

[@Victim] THEN YOU'LL BE FUCKING MARTYRS

15. On March 31, 2011, the registered Twitter user Gregory Calvin King @gck74 sent approximately 257 Tweets starting from 6:33 a.m. to 11:55 p.m. Among some of the Tweets include:

[@Victim] You know.[] Jews were the first ones to rip me off. Then it seemed like everyone else did.

[@Victim] Probably because gold makes your jew pussy real wet. If you want a golden dildo I'm sure I can find ONE.

[@Victim] "A NINJA!!!" I quit VCU [Victim] and finally showed up in Silicon Valley. Because I new your Jew pussy loved black and gold.

[@Victim] THE JEW WHO WORKS FOR THE TWO SONS OF DARKNESS IN MOUNTAIN VIEW.

[@Victim] WHO MARRIED HER HUSBAND ON 1212-2008. ON TREASURE ISLAND.

[@Victim] I should come to Mountain View the land of gold and dicks. And work for [the Victim] the Jew who loves golden dicks.

[@Victim] WHAT OTHER FUN TRICKS DO YOU DIRTBAGS HAVE UP YOUR FUCKING SLEEVES? FOURSQUARE. IF I COME BACK SHOULD I BRING A FUCKING GUN?

[@Victim] And then I parked my ass in Palo Alto.

[@Victim] After I showed up and went to Jail. And you guys found my letter from Prince William Country 22193.

16. On March 29, 2011, the registered Twitter user Gregory Calvin King @gck74 sent approximately 194 Tweets starting from 6:03 a.m. to 11:58 p.m. Among some of the Tweets include:

[@Victim] I really liked you people though then I saw how you worthless and lame your minds were. So I showed you one worse.

[@Victim] "They would be gods." They would be fucking thieves. Just like the one thing they hated the most, a fucking Jew. ROFL.

[@Victim] They wouldn't even fucking let you kill your king until I showed up fucker.
Daniel Cowan Jackling.

[@Victim] I wonder how your Jewish family feels about the way you love to fuck Nazi's.
I'm sure daddy is proud of her daughter.

[@Victim] And he's a Catholic. My social starts with 224-55. Jobs is 224-55... Google is
1600 Amphitheater Way it has a rainbow.

C. INTERVIEW WITH THE VICTIM

17. On April 29, 2011, the Victim was interviewed by the FBI in which she expressed that communications sent to her from @gking62884, @gck764, and @gregking17 were specifically threatening and anti-semitic in nature. Due to some of the explicit sexual and violent Tweets, the Victim expressed concern for his/her safety and the safety of his/her spouse.

18. The Victim stated that she did not block Tweets from @gking62884, @gck764, and @gregking17 because she wanted to monitor the Tweets daily that were originating from the @gking62884, @gck764, and @gregking17 to her Twitter account [@Victim]. Specific details contained in some of the Tweets led the Victim to speculate that KING had previously done extensive research of the Victim including information that was not public and continued to monitor her activities via the internet on a daily basis. The Victim expressed concern that the user of the KING will show up at her house and/or employment as some of the previous Tweets have alluded.

19. The Victim began receiving harassing Tweets from KING sometime in November 2010. To date, Gregory Calvin King @gck764 continues to send harassing messages to the Victim's personal Twitter account, [@Victim], inundating THE VICTIM's account daily with harassing communications.

20. The Victim does not know any one by the name of GREGORY CALVIN KING associated with Twitter account @gking62884, @gck764, and @gregking17.

E. IDENTIFYING GREGORY CALVIN KING

21. The FBI analyzed Tweets for information that would further identify Gregory Calvin King. A search of the Tweets revealed what appeared to be partial identifying information:

- Social Security Number: XXX-XX-8169
- Date of Birth: 1984 (26)
- Street addresses in Virginia:
 - 14847 (Unknown), Woodbridge, VA 22193
 - 313 Falling lane, (Unknown)
 - 12210 (Unknown)
 - Fairfax, VA

22. A search of public database records and the State of Virginia Department of Motor Vehicle (hereinafter referred to as "VADMV") information resulted in an individual with the name of GREGORY CALVIN KING of Virginia, with Virginia Driver's License number XXXXX2905, date of birth 06/XX/1984, Social Security number XXX-XX-8169, and current address of 14847 XXXXXX Ct, Woodbridge, Virginia 22193. A criminal history check conducted by the FBI revealed that a GREGORY CALVIN KING, with Virginia Driver's License number XXXXX2905, date of birth 06/XX/1984, was arrested on August 23, 2010, at San Francisco Airport by Redwood City County Sheriffs for Petty Theft and Burglary, Second Degree. KING was convicted on August 25, 2010, for a misdemeanor and sentenced to 18 months probation and 5 days in jail. KING's VA DMV photograph matched KING's County of San Mateo booking photograph taken at the time of his arrest on August 23, 2010.

F. INTERSTATE COMMERCE

23. On June 3, 2011, FBI agents executed a search warrant at Twitter for @gking62884, @gck764, and @gregking17. In response to the search warrant, Twitter provided all of the Tweets and Internet Protocol ("IP") log-in logs for @gking62884, @gck764, and @gregking17 from November 1, 2010 to June 3, 2011. Using the log-in logs, agents obtained the service provider and subscriber information associated with the log-ins. Based upon the information retrieved, agents determined that Tweets stemming from @gck764 during the period of January 30, 2011 to June 3, 2011, were sent from locations outside of California. Specifically, from on or about January 30, 2011 to on or about May 11, 2011, Tweets associated with account @gck764 were sent from various locations in Virginia. Additionally, from May 12, 2011 to June 3, 2011, Tweets associated with account @gck764 were sent from various locations in Texas. Based on recent database checks, there is no evidence to indicate that Gregory Calvin King is residing in California.

D. THREATS FROM GREGORY CALVIN KING

24. Since the execution of the search warrant on June 3, 2011, Tweets from @gck764 have continued almost on a daily basis. Most recently, the nature of the communications posted on Twitter by @gck764 have escalated into more violent threats. For example, on August 3, 2011, the registered Twitter user of Gregory Calvin King from @gck764 sent approximately 50 Tweets to [@Victim]. Among some of the Tweets include:

[@Victim] And all of you are fucking cowards

[@Victim] because none of you have the balls to admit you falsely arrested me and tried to give me fucking HIV.

[@Victim] I should seriously fucking just shoot one of you.

[@Victim] Seriously, You tried to fucking give me HIV, you hide like fucking cowards,

[@Victim] Then I see these stupid fucking boxes with nothing fucking on them, you fucking tape me without my fucking consent,

[@Victim] I should seriously fucking kill one of you.

25. In addition, on August 8, 2011, the registered Twitter user of Gregory Calvin King from @gck764 sent approximately 174 Tweets to [@Victim]. Among some of the Tweets include:

[@Victim] AFTER I WAS CRUCIFIED ON THE EAST COAST WHICH MAY HAVE BEEN ONE OF YOUR DOING...

[@Victim] AND THE BIT OF YOU COWARDS TRYING TO GIVE ME FUCKING HIV, SCREWING ME WITH A BOGUS CHARGE,

[@Victim] AND SENDING PUSSIES AND MAKING MALE BITCH JOKES LIKE COWARDS... IS THE ONLY ISSUE I REALLY HAVE.

[@Victim] SO HOW DO I FUCKING SETTLE THAT SCORE RESONABLY?

[@Victim] WOULD SHOOTING ONE YOU BE UNREASONABLE?

[@Victim] BECAUSE FROM MY VANTAGE POINT, YOU TRIED RUIN MY BLOOD-LINE AND FUCK MY FUTURE GENERATIONS

[@Victim] SO SIMPLY KILLING ONE OF YOU WHO HAVE ALREADY LIVED A FULL LIFE -- DOESNT SOUND TOO UNREASONABLE

[@Victim] EXPLAIN TO ME -- HOW EXACTLY THAT WOULD BE UNREASONABLE ?

[@Victim] I THINK IT WOULD BE MORE THAN REASONABLE.

[@Victim] The fact you falsely arrested me and tried to give me hiv and dont tell me who I fucking settle my score with...

[@Victim] . pisses me off the most.

REQUEST FOR SEALING

26. Based on KING's violent threats against the victim, I request that the complaint and associated documents be filed under seal. These documents discuss an ongoing criminal investigation that is neither public nor known to the target of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

CONCLUSION

27. On the basis of the above information, I submit that probable cause exists to believe that GREGORY CALVIN KING violated 18 U.S.C. § 875(c) by making threats transmitted through interstate communication and 47 United States Code § 223 (a)(1)(E), making harassing communications in interstate communications.


CHRISTOPHER WHITE
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 11 day of August 2011.


Nathanael M. Cousins
United States Magistrate Judge
San Francisco, California